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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 6th meeting
Held at Headquarters, New York, on Wednesday, 11 June 2008, at 10 a.m.

Chairman: Mr. Natalegawa ..... (Indonesia)

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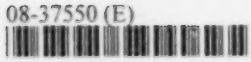

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Requests for hearings

2. **The Chairman** drew attention to the requests for hearings contained in aides-memoires 07/08, 08/08 and 09/08 relating to the questions of Western Sahara, Guam and the United States Virgin Islands, respectively. He took it that the Committee wished to accede to those requests.

3. *It was so decided.*

Question of Western Sahara (A/AC.109/2008/14)

4. **The Chairman** drew attention to the working paper on Western Sahara prepared by the Secretariat (A/AC.109/2008/14).

5. **Mr. Malmierca Díaz** (Cuba), after recalling that the people of Western Sahara had been denied their inalienable right to self-determination for more than three decades said that since Security Council resolution 1754 (2007) had been adopted, the parties had carried out four rounds of talks. He hoped that efforts would continue to be made to reach a solution in line with the principles and purposes of the United Nations Charter and General Assembly resolution 1514 (XV).

6. The people of Western Sahara needed the support of the international community. Cuba, despite its modest resources, had contributed resources to the self-development of Western Sahara, especially in the area of education; currently some 600 Western Saharans were studying within the Cuban education system.

7. **Mr. Palavicini-Guédez** (Venezuela) said that Venezuela fully supported Western Sahara in its desire to achieve independence. The natural rights of the Western Saharan people must be fulfilled as quickly and peacefully as possible.

Hearing of petitioners

8. *At the invitation of the Chairperson, Mr. Boukhari (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO)) took a place at the petitioners' table.*

9. **Mr. Boukhari** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO)) said that for the past 20 years, Morocco had sabotaged all United Nations efforts to achieve the decolonization of Western Sahara, including the Settlement Plan, the Houston Agreements and the Baker Plan. It was now attempting to elude the commitments it had made before the Special Committee for its proposal was an attempt to legitimize the illegal occupation of Western Sahara through a so-called "autonomy" within the framework of its claim to sovereignty over the territory. Morocco had no sovereignty over Western Sahara, and was occupying it illegally. Western Sahara was a Non-Self-Governing Territory; its future must be determined by its people.

10. The Frente POLISARIO had submitted a proposal of its own, which reiterated the necessity of holding a referendum, thereby giving the people of Western Sahara an opportunity to choose among the options endorsed by the United Nations, including independence, integration and territorial autonomy. If the referendum led to independence, the Frente POLISARIO was prepared to negotiate strategic relations between the two countries, including in the areas of economics, security and trade.

11. Pursuant to Security Council resolution 1754 (2007), which called upon the parties to enter into negotiations in good faith and without preconditions, Frente POLISARIO and the Moroccan Government had held four rounds of talks in the period from June 2007 to April 2008. Throughout the negotiations, the Frente POLISARIO had expressed its willingness to discuss both parties' proposals in depth. However, Morocco had refused to discuss the Saharan proposal, thereby thwarting any efforts to initiate the proceedings of a pacific solution.

12. Security Council resolution 1813 (2008) and the Secretary-General's report on the situation concerning Western Sahara (S/2008/251) reaffirmed the United Nations commitment to the negotiations process and, in so doing, rejected several startling ideas put forward by the Secretary-General's Personal Envoy, such as the fact that international legality should take account of what he called the "political reality", a euphemism for Morocco's illegal occupation. In light of the Personal Envoy's apparent renunciation of the principle of impartiality, a crucial quality for any facilitator or mediator, the Frente POLISARIO considered him unfit

to facilitate the negotiating process. Western Sahara would continue to assert its legitimate claims by peaceful means, through a serious, honest negotiations process based on international legality. The people of Western Sahara must be allowed to freely decide their own future.

13. *Mr. Boukhari withdrew.*

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands (A/AC.109/2008/2-4, 6, 7, 10-12 and 15-17; A/AC.109/2008/L.9)

14. **The Chairman** drew attention to the working papers on the 11 Non-Self-Governing Territories prepared by the Secretariat (A/AC.109/2008/2-4, 6, 7, 10-12 and 15-17).

Question of Guam

Hearing of petitioners

15. The very survival of the Chamorro was at stake. Not only was military contamination of every kind impacting on their livelihoods, but they were being dispossessed of their lands and their political and cultural identity was being jeopardized. The military build-up violated the administering Power's "sacred trust obligation" under Article 73 of the Charter to ensure their advancement. Moreover, the people had no recourse. Under a law passed unilaterally by the United States Congress, they had citizenship without political representation and could not vote for the one person who held the fate of the island in his hands, namely, the United States President.

16. She demanded that the Special Committee put an end to its policy of "colonial accommodation" and called on members to give top priority to the right to self-determination of the Chamorro; to identify, in collaboration with the United Nations Permanent Forum on Indigenous Issues, deficiencies in the current decolonization regime; to denounce the military build-up as a violation of the administering Power's obligation to safeguard the human right to self-determination of the Chamorro people; to improve the coordination of United Nations system action in support of decolonization and to provide corrective measures against the impacts of colonization and militarization.

17. *At the invitation of the Chairperson, Ms. Tressa Diaz took a place at the petitioners' table.*

18. **Ms. Tressa Diaz** said that the working paper on Guam (A/AC.109/2008/15) failed to note that the intensified militarization of Guam planned by the administering power, was in violation of the Charter of the United Nations and the relevant United Nations resolutions. Moreover, it did not provide a complete picture of the economic, social and environmental crisis resulting from the presence of the United States, whose interests were being allowed to block any possibility of self-determination for the indigenous people.

19. The planned military build-up took no account of the wishes of the Chamorro people; it would transform the island into a forward base for the United States armed forces and would radically alter its demography. One high-level military official had even stated that United States personnel had a constitutional right to participate in local elections, which reflected sadly on United States attitudes towards Chamorro self-determination. Such attitudes went hand in hand with aggressive moves by the local Chamber of Commerce, largely dominated by United States interests, to privatize Guam's natural and economic resources.

20. *Ms. Tressa Diaz withdrew.*

Question of the United States Virgin Islands

Hearing of petitioners

21. *At the invitation of the Chairperson, Ms. Chin took a place at the petitioners' table.*

22. **Ms. Chin**, speaking on behalf of the United Nations Association of the Virgin Islands and in the name of its President, Ms. Judith Bourne, expressed regret that the Association, which had until 2006 been a regular participant in relevant regional seminars, had been left out of the group of NGOs invited to attend those meetings. She hoped that it was merely an oversight and that the omission would be made good in 2009.

23. Deploring the lack of any real progress in the fulfilment of the decolonization mandate, she said that it was due, in part, to the inaction of the United Nations system. For example, the resolution on dissemination of information on decolonization, which the Special Committee had recently adopted, referred in positive terms to a leaflet on relevant United Nations

agencies. That leaflet merely contained some web addresses. The Department of Public Information could not even say whether the information it put out actually reached the territories or whether United Nations Information Centres were mandated to service them. Clearly there was a disconnect between what the United Nations system purported to do and what it actually did.

24. The people of the United States Virgin Islands had virtually no knowledge of the political status options available to them, even though numerous resolutions adopted by the Committee referred to the need in awareness-raising programmes. The Committee seemed powerless to enforce its decisions within the Secretariat. The general belief seemed to be that the United States Virgin Islands were part of the United States and that their concerns were a purely domestic matter. She wondered whether the Committee proposed to do anything to disabuse people of that belief, given that it had even referred to the Territory's ongoing Constitutional Convention in the context of progress towards self-determination whereas, in fact, the scope of that instrument was limited by United States law to the current colonial relationship.

25. If the Committee could not demand follow-up on the valuable activities included in its annual resolutions, it would seem to have turned aside from its stated purpose. She wondered about the outcome of the various analyses and plans approved for and by the Committee, including the proposed establishment of a working group on small territories. Was it the new purpose of the Committee to legitimize existing colonial arrangements as an acceptable form of self-government?

26. She hoped that the conclusions of the expert seminar on decolonization announced by the Permanent Forum on Indigenous Issues at its seventh session would provide the Committee with much-needed information on the dynamics of contemporary colonial arrangements. Lastly, she appealed to the Committee to demand that the United Nations system comply with its directives on decolonization.

27. *Ms. Chin withdrew.*

Draft resolution A/AC.109/2008/L.9

28. **The Chairperson** drew attention to draft resolution A/AC.109/2008/L.9 adding that, if he heard no objection, he would take it that the Committee wished to waive rule 120 of the rules of procedure of the General Assembly — concerning the 24-hour rule — so that it could take a decision on the draft resolution.

29. *It was so decided.*

30. *Draft resolution A/AC.109/2008/L.9 was adopted.*

The meeting rose at 11.15 a.m.